



GAIL FARBER, Director

**COUNTY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS**

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE  
REFER TO FILE

August 02, 2016

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

28 August 2, 2016

*Lori Glasgow*  
LORI GLASGOW  
EXECUTIVE OFFICER

**RESOLUTION OF SUMMARY VACATION  
SLOPE EASEMENT NORTHEAST OF TUNA CANYON ROAD  
AND NORTHWEST OF MEDLEY LANE  
IN THE UNINCORPORATED COMMUNITY OF TOPANGA  
(SUPERVISORIAL DISTRICT 3)  
(3 VOTES)**

**SUBJECT**

This action will allow the County of Los Angeles to vacate an easement for slope purposes, northeast of Tuna Canyon Road and northwest of Medley Lane, in the unincorporated community of Topanga, that is no longer needed for public use.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find this action categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the easement for slope purposes, northeast of Tuna Canyon Road and northwest of Medley Lane, in the unincorporated community of Topanga, has not been used for the purpose for which it was dedicated or acquired for 5 consecutive years immediately preceding the proposed vacation and that it may, therefore, be vacated, pursuant to Section 8333(a) of the California Streets and Highways Code.
3. Find that the easement for slope purposes, northeast of Tuna Canyon Road and northwest of Medley Lane, in the unincorporated community of Topanga, has been determined to be excess and not required for street and highway purposes and that it may, therefore, be vacated, pursuant to Section 8334(a) of the California Streets and Highways Code.

4. Adopt the Resolution of Summary Vacation, pursuant to Section 8335 of the California Streets and Highways Code.

5. Upon approval, authorize the Director of Public Works or her designee to record the certified original resolution with the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions is to find the project categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles to vacate the easement for slope purposes, northeast of Tuna Canyon Road and northwest of Medley Lane (Easement), in the unincorporated community of Topanga, since the Easement no longer serves the purpose for which it was dedicated and is not required for public use.

#### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provision of Operational Effectiveness/Fiscal Sustainability (Goal 1). The vacation of the Easement will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

#### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The applicant has paid a \$1,500 fee to defray the expense of the investigation. This amount has been deposited into the Road Fund. The fee was authorized by the Board of Supervisors in a resolution adopted on May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

#### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The area to be vacated contains approximately 3,108 square feet and is shown on the map attached to the enclosed Resolution of Summary Vacation.

The County's interest in the Easement was acquired by Deed recorded on November 6, 1959, as Instrument No. 3562 of Official Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, as an easement for slope purposes.

Mr. John Mac Neil, L.S., on behalf of John S. Berlin and Marisa Kuizenga, the underlying property owners, requested the vacation of the slope easement to eliminate the encroachment of a portion of a structure within the easement.

The California Streets and Highways Code, Section 8333(a), provides that the legislative body of a local agency may summarily vacate a public service easement if the easement has not been used for the purpose for which it was dedicated or acquired for 5 consecutive years immediately preceding the proposed vacation.

The California Streets and Highways Code, Section 8334(a), provides that the legislative body of a

local agency may summarily vacate any excess right of way of a street or highway not required for street and highway purposes.

The California Streets and Highways Code, Section 8335, provides that upon making the required finding, the legislative body of a local agency may effectuate the summary vacation of a street, highway, or public service easement by adopting a resolution of vacation.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Easement and will result in the property being unencumbered by the Easement and available to the property owners for use without restriction of the Easement.

### **ENVIRONMENTAL DOCUMENTATION**

This action is categorically exempt from the provisions of CEQA, as specified in Sections 15305 and 15321 of the CEQA Guidelines, which state that the class of projects consisting of minor alterations in land use, limitations, and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

This action will allow for additional property taxes through the vacation of the Easement.

### **CONCLUSION**

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of the Board's minute order. Retain one original for your files.

Respectfully submitted,



GAIL FARBER

Director

GF:SGS:el

Enclosures

c: Auditor-Controller (Accounting Division--Asset  
Management)  
Chief Executive Office (Rochelle Goff)  
County Counsel  
Executive Office

**RESOLUTION OF SUMMARY VACATION  
SLOPE EASEMENT NORTHEAST OF TUNA CANYON ROAD  
AND NORTHWEST OF MEDLEY LANE**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES  
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

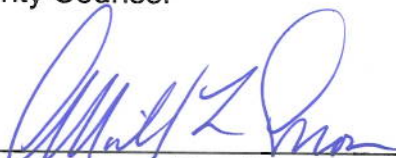
1. The County of Los Angeles is the holder of an easement for slope purposes (hereinafter referred to as the Easement) in, over, and across the real property as legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easement northeast of Tuna Canyon Road and northwest of Medley Lane is located in the unincorporated community of Topanga, in the County of Los Angeles, State of California.
2. The Easement has not been used for the purpose for which it was dedicated or acquired for 5 consecutive years immediately preceding the proposed vacation.
3. The Easement has been determined to be excess and not required for street and highway purposes.
4. The Easement is hereby vacated pursuant to Chapter 4, Part 3, Division 9, of the California Streets and Highways Code, commencing with Section 8330.
5. The Director of Public Works or her designee is authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easement will be terminated.
6. From and after the date this resolution is recorded, the Easement will no longer constitute a public service easement.

The foregoing resolution was on the 2nd day of August 2016 adopted by the Board of Supervisors of the County of Los Angeles and ex officio of the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

MARY C. WICKHAM  
County Counsel

By

  
Deputy

LORI GLASGOW  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By

  
Deputy



RA:el

P:\MPPUB\ADMIN\ELISA\BRD LTRS\RAY A\TUNA CYN RD\TUNA CYN RD RESOLUTION.DOC



## EXHIBIT A

Project Name: Slope Easement northeast of Tuna Canyon  
Road and northwest of Medley Lane

**TUNA CANYON ROAD 4-7VAC**

A.I.N. 4448-018-035

T.G. 630-A1

I.M. 129-097

R.D. 336

S.D. 3

P.C.A. M1488103

### LEGAL DESCRIPTION

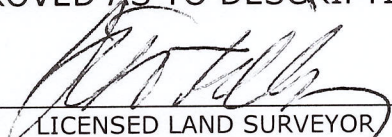
**PARCEL NO. 4-7VAC** (Vacation of easement for slope purposes):

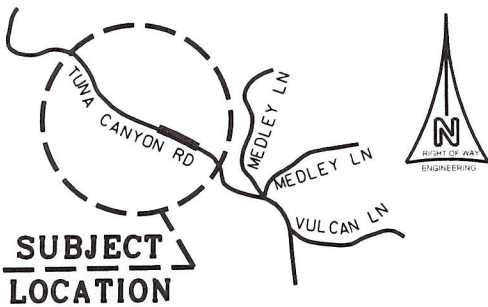
That portion of that certain parcel of land in Parcel 43, as shown on map filed in Book 76, pages 74 through 77, of Record of Surveys, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, described as Parcel C in deed to said County recorded on November 6, 1959, as Document No. 3562, in Book D657, page 384, of Official Records, in the office of said Registrar-Recorder/County Clerk, within a strip of land 20 feet wide, the southwesterly sideline of said strip being described as follows:

Beginning at the intersection of the easterly line of said Parcel 43 and the southwesterly sideline of said Parcel C; thence northwesterly, along said southwesterly sideline, a distance of 160 feet.

Containing: 3,108± square feet



APPROVED AS TO DESCRIPTION	
By	
	LICENSED LAND SURVEYOR
	Los Angeles County Department of Public Works
Dated	JUNE 2, 2016



**VICINITY MAP**  
NOT TO SCALE

**EXHIBIT B**

**42**  
(POR)

**RS 76-74-77**

**43**  
(POR)

DOC NO. 3562 (11/06/59)  
PARCEL C  
COUNTY OF LOS ANGELES  
(SLOPE EASE)

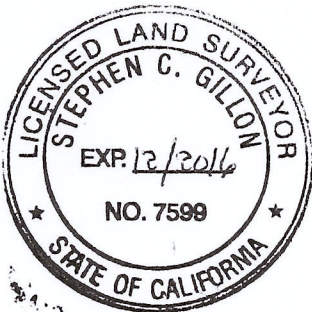
**27**  
(POR)

**26**  
(POR)

**TUNA CANYON RD**

**4-7 VAC**

**MB 142 93-97**



BY

LICENSED SURVEYOR

6/2/16  
DATE

**LEGEND**



Parcel No. 4-7VAC  
Slope easement to be vacated  
Area: 3,108± Sq. Ft.

ALL IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES

LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS  
SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION

T.G. 630 A1  
I.M. 129-027  
S.D. 3  
R.D. 336

**SLOPE EASEMENT NORTHEAST  
OF TUNA CANYON ROAD AND  
NORTHWEST OF MEDLEY LANE**

DATE  
6/01/16

SCALE:  
1"=100'

A.I.N  
4448-018-035

PREPARED BY: R. AVANCENA

PROJECT I.D.  
MPV0000155

PROJECT NO.  
M1488103